

LIEFF CABRASER HEIMANN &  
BERNSTEIN, LLP  
Michael W. Sobol (SBN 194857)  
msobol@lchb.com  
Melissa Gardner (SBN 289096)  
mgardner@lchb.com  
Ian Bensberg (pro hac vice)  
ibensberg@lchb.com  
275 Battery Street, 29th Floor  
San Francisco, CA 94111-3339  
Telephone: 415.956.1000  
Facsimile: 415.956.1008

LIEFF CABRASER HEIMANN &  
BERNSTEIN, LLP  
Nicholas Diamand (pro hac vice)  
ndiamand@lchb.com  
Douglas Cuthbertson (pro hac vice)  
dcuthbertson@lchb.com  
250 Hudson Street, 8th Floor  
New York, NY 10013  
Telephone: 212.355.9500  
Facsimile: 212.355.9592

*Counsel for Plaintiffs and the Proposed Class*

WILLKIE FARR & GALLAGHER LLP  
Eduardo E. Santacana (SBN 281668)  
esantacana@willkie.com  
Benedict Y. Hur (SBN 224018)  
bhur@willkie.com  
Simona Agnolucci (SBN 246943)  
sagnolucci@willkie.com  
Tiffany Lin (SBN 321472)  
tlin@willkie.com  
One Front Street, 34th Floor  
San Francisco, CA 94111  
Telephone: 415.858.7400  
Facsimile: 415.858.7599

*Attorneys for Defendant Google LLC.*

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

JONATHAN DIAZ and LEWIS  
BORNMAN, on behalf of themselves  
and all others similarly situated,

Plaintiffs,

v.

GOOGLE LLC,

Defendant.

Case No.: 5:21-cv-03080-NC

**ORDER GRANTING JOINT  
STIPULATION TO STAY THE CASE  
PENDING THE FILING OF MOTION FOR  
APPROVAL OF SETTLEMENT**

Hon. Nathanael M. Cousins

1 Pursuant to Civil Local Rules 6-2 and 7-12 Plaintiffs and Defendant Google LLC  
2 (“Google”) (collectively, the “Parties”), by and through their respective counsel of record, hereby  
3 stipulate as follows:

4 WHEREAS, on September 28, 2021, the Parties informed the Court that they were  
5 developing an informal but collaborative discovery process to resolve many of the pending issues  
6 raised in Google’s motion to dismiss, and requested modification of the motion to dismiss  
7 briefing schedule (*see* Dkt. 47 (Stipulation & Proposed Order)), which the Court granted (*see* Dkt.  
8 48);

9 WHEREAS, the Parties worked on the informal but collaborative discovery process  
10 through January 2022 and attended mediation sessions conducted by Zoom on January 31, 2022,  
11 February 7, 2022, and February 11, 2022 with the Hon. Read Ambler (Ret.) of JAMS;

12 WHEREAS, on February 18, 2022, the Parties executed a term sheet for the settlement of  
13 all of Plaintiffs’ claims against Google;

14 WHEREAS, the Parties are working on finalizing settlement documentation forthwith.

15 IT IS HEREBY STIPULATED AND AGREED TO:

16 1. All litigation activities shall be stayed, including any deadlines concerning  
17 Google’s pending motion to dismiss and request for judicial notice in support of the same (*see*  
18 Dkt. 58), except for those litigation activities necessary to finalize a settlement agreement and to  
19 effectuate the settlement approval process;

20 2. The case management conference currently scheduled for March 30, 2022 (*see*  
21 Dkt. 58) shall be removed from the Court’s calendar;

22 3. The Parties will submit a proposed briefing schedule for Plaintiffs’ preliminary  
23 approval motion by March 11, 2022; and  
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1           4.       The litigation stay agreed to herein shall be automatically lifted if the Court denies  
2 or otherwise fails to grant Plaintiffs' preliminary approval motion.

3       Dated: February 24, 2022

/s/ Douglas I. Cuthbertson

4           Douglas Cuthbertson (*pro hac vice*)  
5           dcuthbertson@lchb.com  
6           Nicholas Diamand (*pro hac vice*)  
7           ndiamand@lchb.com  
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22          Telephone: 415.956.1000  
23          Facsimile: 415.956.1008

24       Dated: February 24, 2022

/s/ Benedict Y. Hur

25          Benedict Y. Hur (SBN 224018)  
26          bhur@willkie.com  
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*Attorneys for Defendant Google LLC.*

Case No.: 5:21-cv-03080-NC

**ORDER RE: NOTICE OF SETTLEMENT  
AND JOINT STIPULATION TO STAY THE  
CASE PENDING THE FILING OF  
MOTION FOR APPROVAL OF  
SETTLEMENT**

Hon. Nathanael M. Cousins

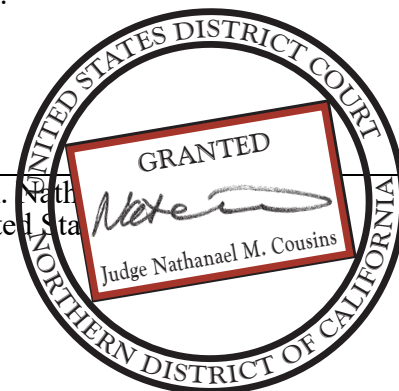
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PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED:

February 28, 2022

Hon. Nath  
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By: /s/Douglas I. Cuthbertson  
Douglas I. Cuthbertson